

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office MAR 05 2004

Returned to applicant for correction _____

Corrected application filed _____

Map filed NOV 06 2003 under 70286

The applicant **Ross & Orma Mathews 1990 Family Trust** hereby make application for permission to change the **Point of Diversion & Place of Use** of water heretofore appropriated under **Permit 9009, Certificate 2046**

1. The source of water is **Fort Creek**
2. The amount of water to be changed **.0015 CFS**
3. The water to be used for **Stock Water 100 cattle or equivalent**
4. The water heretofore permitted for **Stock Water**
5. The water is to be diverted at the following point **NE¼ SW¼, Sec. 28, T5S, R71E, MDM** or at a point from where the **West ¼ Cor. Said Sec. 28 bears N 83° 37' 45" W 1426 feet.**
6. The existing permitted point of diversion is located within **NW¼ SW¼, Sec. 28, T5S, R71E, MDM. Per permit 9009, Certificate 2046. S 40°E 962 feet from the West ¼ Cor. Sec. 28, T5S., R71E, MDM.**
7. Proposed place of use **NW¼ SE¼, Sec. 28, T5S, R71E, MDM.**
8. Existing place of use **NW¼ SW¼, Sec. 28, T5S, R71E, MDM.**
9. Use will be from **January 1st to December 31st** of each year.
10. Use was permitted from **January 1st to December 31st** of each year.
11. Description of proposed works **Spring collection box to 2" pipe to water troughs.**
12. Estimated cost of works **In current use**
13. Estimated time required to construct works **N/A**
14. Estimated time required to complete the application of water to beneficial use **N/A**
15. Remarks: **A. Use map under Permit #9009, Cert. 2046 for existing Point of Diversion & Place of Use. B. Use map under Permit 70286 which shows current works & Point of Diversion & Place of use.**

By **Scott P. Woolsey**
s/ **Scott P. Woolsey**
148 E. Tabernacle
St. George, UT 84770

Compare **gkl/cmf** _____ **lt/** _____

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of a portion of waters of Fort Creek as heretofore granted under Permit 9009, Certificate 2046, is issued subject to the terms and conditions imposed in said Permit 9009, Certificate 2046, or sufficient to water 48 Head of Cattle, and with the understanding that no other rights on the source will be affected by the change proposed herein. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the period of use and the average number of livestock served from the waters of this source. The State retains the right to regulate the use of the water herein granted at any and all times but does not take responsibility for the use of the Federal range.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0015 cubic feet per second, or sufficient to water 48 Head of Cattle.

Work must be prosecuted with reasonable diligence and be completed on or before:

March 23, 2007

Proof of completion of work shall be filed on or before:

April 23, 2007

Water must be placed to beneficial use on or before:

March 23, 2008

Proof of the application of water to beneficial use shall be filed on or before:

April 23, 2008

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 23rd day of March, A.D. 2006


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed N/A

Certificate No. _____ Issued _____